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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/769,759	02/03/2004	Satoshi Kouchiyama	01-546	8912

23400 7590 08/24/2004

POSZ & BETHARDS, PLC  
11250 ROGER BACON DRIVE  
SUITE 10  
RESTON, VA 20190

EXAMINER


NGUYEN, CUONG H

ART UNIT	PAPER NUMBER
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3625

DATE MAILED: 08/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/769,759	<b>Applicant(s)</b> KOUCHIYAMA, SATOSHI	
	<b>Examiner</b> CUONG H. NGUYEN	<b>Art Unit</b> 3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 03 February 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2/03/04</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. This is the answer for a communication filed on 2/03/2004.  
Claims 1-16 are pending.

**Documents**

2. The following documents have been received and filed as part of the patent application:

- Information Disclosure Statement, received on 02/03/04
- Foreign Priority Document (JP2003-027129), received on 02/03/04

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Oshida et al. (US Pat. 6,434,482).

A. As for independent claims 1, 11, 14:

Oshida (Figs. 1-6; col. 3, line 51 - col. 6, line 67) discloses an on-vehicle navigation system for searching facilities along a guide route, comprising:

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- A display means (Fig. 2, being element 25);
- A data storage means (Fig. 2, being elements 14, 15, 19 and 20);
- A control means (Fig. 2, being elements 11, 12, 16, 17, 18, and 21);
- the data storage means stores data on names and categories of points of interest indicated on sign boards provided at freeway exits and supplemental items regarding facilities and services available at the points of interest, the control means performs a search for a point of interest that provides a supplemental item specified by an input from a user based on the data stored in the data storage means, and the control means searches for an exit at which a sign board indicating the searched point of interest is provided and displays the searched exit on the display means (see Fig. 3 and its corresponding descriptions);
- B. As for dependent system claim 2: the control means searches for the point of interest in a category specified by an input from the user (Figs. 2, 5 (ref.38), Fig.6 and col. 5 line 66 - col. 6 line 43);

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- C. As for dependent system claim 3: the control means only displays the searched exit on the display means (col. 6, lines 5-9);
- D. As for dependent system claim 4: the control means displays the searched exit on the display means in a manner that the searched exit is distinguishable from other exits (Fig.1 (a) - "EXIT ##", and col. 6, lines 10-18);
- E. As for dependent system claim 5: the control means displays information regarding the supplemental item on the display means (Fig.5 ref. 38 and col. 6, lines 10-18);
- F. As for dependent system claims 6-7: the control means displays the searched exit on the display means when the distinguishable searched exit is located ahead of the current position of the vehicle (col. 6, lines 25-34);
- G. As for dependent system claims 8-9, 15: the control means displays the searched exit on the display means when the point of interest is located within a predetermined distance from the distinguishable searched exit (the abstract, and col. 6, lines 10-18);

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- H. As for dependent system claims **10, 13, 16**: the control means (Fig.5, ref. 38) searches a route to the searched point of interest and displays the route on the display means (Fig.1a, and col. 6, lines 35-38);
- I. As for dependent system claim **12**: the control means displays the point of interest on the display means when the point of interest is located within a predetermined distance from the current position (col. 6, lines 10-18).

5. Note:

Means plus function limitations (as shown in independent claims 1, 11, and 14) are met by structures which are equivalent to the corresponding structures recited in the specification.

In re Ruskin, 146 USPQ 211 (CCPA 1965) as implicitly modified by In re Donaldson, 29 USPQ2d 1845 (Fed. Cir. 1994).

**Conclusion**

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Suzuki (U. S. Patent No. 6,427,118) teaches a vehicle-mounted navigation system as shown in Fig. 1.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG H.

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NGUYEN whose telephone number is 703-305-4553. The examiner can normally be reached on 7 am - 330 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, VINCENT A. MILLIN can be reached on 703-308-1065. The fax phone number for the organization where this application or proceeding is assigned is 703-305-7687.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Cuong H. Nguyen*

*CHAN*  
CUONG H. NGUYEN  
Primary Examiner  
Art Unit 3625